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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/007,713	11/13/2001	John Matthew Santosuosso	ROC920010222US1	6341
46797	7590	04/07/2009	EXAMINER	
IBM CORPORATION, INTELLECTUAL PROPERTY LAW			NGUYEN, CAM LINH T	
DEPT 917, BLDG. 006-1				
3605 HIGHWAY 52 NORTH			ART UNIT	PAPER NUMBER
ROCHESTER, MN 55901-7829			2161	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/007,713	SANTOSUOSO, JOHN MATTHEW	
	<b>Examiner</b>	<b>Art Unit</b>	
	CAM-LINH NGUYEN	2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 03 October 2006.

2a) This action is **FINAL**.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-36 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-36 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ .	5) <input type="checkbox"/> Notice of Informal Patent Application
	6) <input type="checkbox"/> Other: _____ .

## **DETAILED ACTION**

### ***Response to Amendment***

1. This Office Action is response to Reply Brief filed on 10/03/2006 Applicants request that prosecution be reopened in accordance with 37 CFR Sec. 41.39(b). Consequently, Examiner would withdraw the 35 USC 101 in the Examiner Answer, but the Final Rejections are still remained based on the amendment filed on 10/03/06.
2. Claims 1 – 36 are currently pending.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 – 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Birnbaum et al (U.S. 2002/0143878 A1) in view of Smith et al (U.S. 6,578,078).

♦ As per claim 11,

Birnbaum et al (U.S. 2002/0143878 A1) (herein Birnbaum) discloses a method, a computer readable medium (Fig. 4, second computer), comprising a program which, when executed by a processor (Fig. 5, paragraph 0093), performs an operation for updating a database, the operation comprising:

- “Receiving a change request from a web browser, the change request indicating the web browser has detected a change related to a web page for which information is stored in the database” See Fig. 2A, paragraph 0056, 0064 – 0065, 0067 of Birnbaum.

Birnbaum does not clearly teach that:

- “Updating a database in response to receiving a change request from a browser”

Birnbaum only teaches that the system will be acted on the information depend upon the nature of the information (paragraph 0079 – 0080), but does not clearly teaches that the database is updated in response to the request.

Smith, however, on the other hand, discloses a method for update a web address in the server in response to a request comprising: “Updating a database in response to receiving a change request from a browser” (See Fig. 1, element 10, 26, col. 13 lines 1 – 10, col. 14 lines 8 – 17 of Smith).

In particular:

- “A change request” corresponds to the command from the author to move or delete a page.
- Because the author can use a computer as disclosed in Fig. 6, in which the author use a network connection to issue the command, therefore, the command is issued from a browser.

It would have been obvious to one with ordinary skill in the art at the time the invention was made to apply the teaching of Smith into the invention of Birnbaum because the combination would provide an up-to-date database in response to a user request from a web browser.

♦ As per claim 1

Birnbaum et al (U.S. 2002/0143878 A1) (herein Birnbaum) discloses a method, a medium (Fig. 4, second computer), comprising a program which, when executed by a processor (Fig. 5, paragraph 0093), performs an operation for updating a database, the operation comprising:

- “Monitoring operation of a web browser program to detect an event indicating a change involving a web page for which information is stored in the database” See Fig. 2A, paragraph 0056, 0064 – 0065, 0067 of Birnbaum.
- “In response to the detecting such an event, sending a notification to the database containing the information causing the information to be updated in accordance with the change” See Fig. 2A, element 104, paragraph 0056, 0064 – 0065, 0067 of Birnbaum

Birnbaum does not clearly teach that:

- “Updating a database in response to receiving a change request from a browser”

Birnbaum only teaches that the system will be acted on the information depend upon the nature of the information (paragraph 0079 – 0080), but does not clearly teaches that the database is updated in response to the request.

Smith, however, on the other hand, discloses a method for update a web address in the server in response to a request comprising: “Updating a database in response to receiving a change request from a browser” (See Fig. 1, element 10, 26, col. 13 lines 1 – 10, col. 14 lines 8 – 17 of Smith).

In particular:

- “A change request” corresponds to the command from the author to move or delete a page.

- Because the author can use a computer as disclosed in Fig. 6, in which the author use a network connection to issue the command, therefore, the command is issued from a browser.

It would have been obvious to one with ordinary skill in the art at the time the invention was made to apply the teaching of Smith into the invention of Birnbaum because the combination would provide an up-to-date database in response to a user request from a web browser.

- ◆ As per claims 2, 12, 25, the combination of Birnbaum and Smith disclose:

- “Verifying whether a data table in the database allows automatic updates before sending the notification” see col. 13 lines 19 – 21, col. 18 lines 35 – 37 of Smith.

- ◆ As per claims 3 – 4, 13 – 14, the combination of Birnbaum and Smith disclose:

- “Attaching the database to the web browser through a login process”. Because the computer used in Smith can be a network computer (col. 19 lines 1 – 19 of Smith), the database can be located in local or remote location. The user must use the network connection to connect with the database using the login process (col. 20 lines 7 – 19 of Smith). The system also provides an extra layer of security in order to gain access to the system or attach the database to the browser (See col. 5 lines 46 – col. 6 lines 10 of Smith).
  - “The browser resides on a client system and the database resides on a server system” See Fig. 6, col. 20 lines 20 – 33 of Smith.

- ◆ As per claims 5 – 7, 15 – 17, 26, 31, 35, the combination of Birnbaum and Smith disclose:

- “The event comprises receiving, from a web server, a page redirect request to change a uniform resource locator (URL) or a web page from a first network address to a second network address” See Fig. 1, element 18 – 20, col. 13 lines 36 – 43 of Smith.
- Smith also discloses a table to store URL and update this table when a new data is entered (See col. 11 lines 49 – 63 of Smith).
- “The first and second network addresses are utilized as links on a web page” See col. 13, lines 50 – 65 of Smith.

◆ As per claims 8 - 10, 18 – 20, 27 – 28, 32, 36, the combination of Birnbaum and Smith disclose:

- “The event comprises a change in a web page” See Fig. 1, element 10 of Smith.
- “The notification sent to the database contains sufficient information to update the database to reflect the change in the web page” col. 19 lines 1 – 19 of Smith.

◆ As per claims 21, 29 – 30, 33 – 34, the combination of Birnbaum and Smith disclose:

With all limitation as claimed in claims 11, 1, further claim 21 includes a memory contains a database management system comprising a database update program. The “database update program” corresponds to the “Referential Preservation engine Database” See the abstract.

Claim 29 further includes a “list of network addresses” See col. 11 line 49 – 63 of Smith.

Further claim 29 includes: “automatically accessing each network address on a list of network address referenced in the database” See Fig. 4, col. 13, lines 30 – 50 of Smith.

◆ As per claims 22 - 23, the combination of Birnbaum and Smith disclose:

- “A network connection configured to allow communication with the browser via the Internet” See Fig. 6 of Smith.

♦ As per claim 24, the combination of Birnbaum and Smith disclose:

- “The database update program is part of a database server” See col. 19 line 1 – 8 of Smith.

### ***Response to Arguments***

5. Applicant's arguments filed 10/03/2006 have been fully considered but they are not persuasive.

♦ Applicant argues that the Birnbaum patent fails to disclose “a change related to a web page”. The Examiner respectfully disagrees.

Referring to paragraph 0067, Birnbaum teaches that the information that detected can be new information entered by the user, information entered into a form by the user, etc. Clearly, this information are related to a web page because the user used a web browser to enter information, a web page is displayed so the user can enter information. Therefore, the change that made by the user is related to a web page.

♦ Applicant argues that the Birnbaum patent fails to disclose, “a change related to a web page for which information stored in a database”. The Examiner respectfully disagrees.

As seen in Fig. 5, each computer has a memory to store information. In addition, in paragraph 0080, Birnbaum teaches that any change at the customer device will also occur at the agent browser, so the agent's browser will be synchronized to the customer browser. Therefore, the memory in the agent browser is represented as a “database” that can be used to store new information such as cookie or new information in its memory.

♦ Applicant argues that the Birnbaum patent fails to disclose, “information regarding a change in the web browser program is received from the mini-application, and not a web browser”. The Examiner respectfully disagrees.

In Fig. 4, Birnbaum discloses a web browser in each computing device, In Fig. 2A, information for a change is detected from a browser. Clearly, Birnbaum disclose “information regarding a change in the web browser program is received from a web browser”, as claimed in the instant application.

### ***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CAM-LINH NGUYEN whose telephone number is (571) 272 - 4024. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on (571) 272 - 4080. The fax phone number for the organization where this application or proceeding is assigned is 571 - 273 - 8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/CamLinh Nguyen/  
Primary Examiner, Art Unit 2161